

### **REMARKS**

Claims 15, 16, 25, 26 and 32-45 were pending in the subject application as of the mailing date of the current office action, in which claims 15, 16, 25, 26 and 32 are allowed and claims 35, 36 and 39 were indicated as allowable but for depending from a rejected base claim. However, claims 33, 34, 37, 38 and 40-45 are rejected in the current office action pursuant to 35 U.S.C. §102(a) as being anticipated by what the Examiner asserts is Applicant's Admitted Prior Art. Applicant respectfully traverses the current claim rejections, which are overcome or demonstrated to be inappropriate in view of at least the amendments set forth above and/or the remarks that follow.

#### **Claim Amendments**

As noted above, Applicant has amended claim 33 to include limitations similar to those of claim 26; thus, no new matter is added. Amended claim 33 recites, in part, an endoscope tip that has an outer cylindrical surface and a tip tool that includes a tip tool body having an at least partially cylindrical opening that is fit over at least a portion of the outer cylindrical surface of the endoscope tip. The purpose of this amendment is to expedite prosecution of the subject application. By making this amendment, Applicant does not dedicate the subject matter of claim 33 - as filed and/or as presently pending - to the public. Applicant also does not acquiesce to the Examiner's current or previous rejections of claim 33, or to the current or previous reasons offered in support of such rejections. Applicant further reserves the right to seek patent protection for one or more that are claims similar or identical to claim 33 - as filed and/or as presently pending - in one or more related applications.

Arguments

As noted above, claims 33, 34, 37, 38 and 40-45 are rejected in the current office action pursuant to 35 U.S.C. §102(a) as being anticipated by what the Examiner asserts is Applicant's Admitted Prior Art ("AAPA"). The gist of the Examiner's rejection appears to be that pages 1 and 2 of the subject application disclose the features of the rejected claims. Applicant respectfully disagrees; however, in order to further emphasize the patentability of claim 33, Applicant has amended claim 33 to include additional features that Applicant believes are not disclosed in or suggested by the prior art of record, or what the Examiner asserts is AAPA. For at least this reason, claim 33 is patentable and thus allowable, as are claims 34-45, each of which depends either directly or ultimately from claim 33.

Conclusion

All pending claims of the subject application either are allowed in the current office action (i.e., claims 15, 16, 25, 26, and 32), are allowable by virtue of having been demonstrated to be patentable (i.e., claim 33), or are allowable based at least on their dependency from an allowable claim (i.e., claims 34-45, each of which depends either directly or ultimately from claim 33). For at least these reasons, the subject application is believed to be in immediate condition for allowance. Reconsideration and allowance of claims 33-45 are respectfully requested.

If the undersigned can be of any assistance in advancing the prosecution of the subject application, then the Examiner is invited to contact him through use of the information provided below.

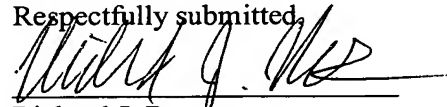
Fees

This response is being timely filed; thus, no extension fee is believed to be due in connection therewith. Moreover, the total number and type of claims pending upon entry of this response (i.e., eighteen total claims, four of which are independent) is equal to the number and type of claims previously pending. Although no fees are believed to be due in connection with the filing of this response, the Commissioner is hereby authorized to charge any such necessary fees, or to credit any overpayment, to Deposit Account No. 50-0289.

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Respectfully submitted,



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